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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/778,565

02/07/2001

Murthi Nanja

INTL-0521-US (P10765)

4410

21906

7590

10/22/2003

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EXAMINER

WOO, ISAAC M

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 10/22/2003

11

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/778,565

Applicant(s)

NANJA, MURTHI

Examiner

Isaac M Woo

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8, 12-19 and 23-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 12-19 and 23-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on August 08, 2003 has been entered.

2. Claims 1, 12 and 23 are amended, and claims 9-11 and 20-22 are canceled. The pending claims are 1-8, 12-19 and 23-25.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8, 12-19 and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Khan et al (U.S. Patent No. 6,438,575, hereinafter, "Khan") in view of Ficco (U.S. Patent No. 6,608,993).

With respect to claims 1, 8, 12, 19 and 23, Khan discloses the method, medium storing instructions processor-based system, and system, aggregating information (web content) from two or more web site (col. 10, lines 44-50), see (FIG. 2, FIG. 3, col. 9, lines 55-67 to col. 10, lines 1-26, col.11, lines 36-64, col. 1, lines 43-67 to col. 2, lines 1-34); Khan does not explicitly disclose the “detecting the occurrence of a predetermined time, and automatically transferring information to a wireless device at the predetermined time”. However, Ficco discloses, “determines whether the current time or detected time is constantly the same as a predetermined time” from fig. 9, col. 7, lines 7-14. And Ficco discloses the “ the arrival of a predetermined time automatically triggers the system to wirelessly transmit audio data files from a base station to a player form col. 7, lines 14-29. This teaches that at detection of predetermined time, Ficco transmits information to wireless device automatically. Therefore, it would have obvious a person having ordinary skill in the art the invention was made to include detecting the occurrence of a predetermined time, and automatically transferring information to a wireless device at the predetermined time in the system of Khan to auto-transmit information to wireless device at predetermined time. Because the method of auto-transmitting information at the predetermined time, is used as a trigger signal to send information. This provides auto-downloading of information at regular time-base in network environment without user action.

With respect to claims 2, 13 and 24, Khan discloses the aggregating the information from two or more web sites on a processor-based system connectable to the wireless device, see (col. 9, lines 55-67 to col. 10, lines 1-26, col. 1, lines 17-67 to col. 2, lines 1-62, FIG. 3, col. 11, lines 37-67 to col. 12, lines 1-51).

With respect to claims 3 and 14, Khan discloses the receiving user requests for information from web sites and storing the information received from web sites, see (FIG.3, col. 11, lines 37-67 to col. 12, lines 1-51).

With respect to claims 4 and 15, Khan discloses the establishing a telephone connection and during that connection, accessing the requested information from at least one web site, see (col. 2, lines 11-34, col. 9, lines 55-67 to col. 10, lines 1-26).

With respect to claims 5 and 16, Khan discloses the accessing information from at least two web sites using a single connection, see (FIG. 4, col. 17, lines 17-67 to col. 18, lines 1-59).

With respect to claims 6 and 17, Khan discloses the aggregating the information in response to the detection of an event, see (col. 7, lines 8-37, col. 9, lines 55-67 to col. 10, lines 1-26).

With respect to claims 7 and 18, Khan discloses the detecting a period of low activity on the system, see (fig.1, col. 3, lines 44-65, col. 13, lines 13-62, the computer operating system checks cpu usages or memory usages).

With respect to claim 25, Khan discloses the Internet connection, see (135, fig.1, col. 8, lines 32-54).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Payne et al (U.S. Patent No. 6,021,433) discloses the system for data communication connecting on-line networks with on-line and off-line computers. The present system provides for broadcast of up to the minute notification centric data thereby providing an instant call to action for users who are provided with the ability to instantaneously retrieve further detailed information. Information sources transmit data to a central broadcast server, which preprocesses the data for wireless broadcast. The notification centric portions of data are wirelessly broadcast to wireless receiving devices that are attached to computing devices. Upon receipt of the data at the computing device, the user is notified through different multimedia alerts that there is an incoming message. Wirelessly broadcasted URL's, associated with the data, are


embedded in data packets and provide an automated wired or wireless connection back to the information source for obtaining detailed data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (703) 305-0081. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

IMW
September 24, 2003


SHAHID ALAM
PRIMARY EXAMINER